

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CHRISTOPHER WADE HAMMOND,  
Petitioner,

v.

MARILYN BROOKS,  
Respondents.

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CIVIL ACTION

NO. 04-5783

**Order**

YOHN, J.

And now, this 29th day of May 2009, upon careful consideration of Christopher Wade Hammond's petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, the government's response, the Report and Recommendation of United States Magistrate Judge Timothy R. Rice, and petitioner's objections thereto, it is hereby **ORDERED** that:

1. Petitioner's objections are **OVERRULED**;
2. The Recommendation of United States Magistrate Judge Timothy R. Rice is **APPROVED**;
3. The petition for writ of habeas corpus is **DISMISSED** and **DENIED**;
4. The Clerk shall **CLOSE** this case for statistical purposes; and
5. Petitioner having failed to make a substantial showing of the denial of a constitutional right, there is no ground to issue a certificate of appealability.

s/ William H. Yohn Jr., Judge  
William H. Yohn Jr., Judge